

McMahon, 5

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS OAKLEY, RON ADDEO, THOMAS :  
BARRY, MARCEL CABRERA, JOSEPH CARBALLO, :  
MATTHEW CHRISTIE, LAUREN COLCLOUGH, :  
AILEEN CORNIELLE, MIKE DOWD, PAUL DUNN, :  
JULIET FOUNTAIN, GAVIN FRATER, BRENDA :  
FRITCHY, NILSA GREENE, ADRIANE :  
GRZYBOWSKI, ELAINE HENDERSON, GEORGE :  
HOLMAN, KEVIN KAER, JEFFREY LEROY, :  
ANGELA LUCAS, MARY GIORGI, CHRISTOPHER :  
MCCARTHY, DENNIS MCGEE, NOEL MELENDEZ, ED :  
MIDDENDORF, DEBBIE MONROE, LAURA NUSS, :  
RAY PEAY, KIMBERLY PEREIRA, MICHELLE PROCK, :  
PAM REINHEIMER, DAISY RIVERA, ANTHONY :  
SICURANZO, MARCHELLE SMITH, CHARLES :  
SPINALE, JAMES TREADWAY, LORRIS WATSON, :  
and JUDITH WHIGHAM, individually and on behalf of all :  
others similarly situated, :

Plaintiffs, :

v. :

VERIZON COMMUNICATIONS INC., VERIZON :  
WASHINGTON, DC INC., VERIZON SOUTH INC., :  
VERIZON DELAWARE LLC, VERIZON AVENUE CORP.:  
(D/B/A VERIZON ENHANCED COMMUNITIES), :  
VERIZON PENNSYLVANIA INC., VERIZON NEW :  
ENGLAND INC., VERIZON NEW JERSEY INC., :  
VERIZON SELECT SERVICES INC., VERIZON :  
TELEPRODUCTS CORP., VERIZON CONNECTED :  
SOLUTIONS INC., VERIZON NEW YORK INC., EMPIRE :  
CITY SUBWAY COMPANY (LIMITED), VERIZON :  
MARYLAND INC., VERIZON VIRGINIA INC., :  
VERIZON WEST VIRGINIA INC., VERIZON SERVICES :  
CORP., VERIZON CORPORATE SERVICES CORP., :

Defendants. :

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11/5/11

ECF CASE

09 Civ. 9175 (CM-MHD)

STIPULATION AND ORDER

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS OAKLEY, RON ADDEO, THOMAS :  
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PAM REINHEIMER, DAISY RIVERA, ANTHONY :  
SICURANZO, MARCHELLE SMITH, CHARLES :  
SPINALE, LORRIS WATSON, and JUDITH WHIGHAM, :  
individually and on behalf of all others similarly situated, :

09 Civ. 9175 (CM-MHD)

Plaintiffs,

v.

VERIZON COMMUNICATIONS INC., VERIZON :  
WASHINGTON, DC INC., VERIZON SOUTH INC., :  
VERIZON DELAWARE LLC, VERIZON AVENUE CORP.:  
(D/B/A VERIZON ENHANCED COMMUNITIES), :  
VERIZON PENNSYLVANIA INC., VERIZON NEW :  
ENGLAND INC., VERIZON NEW JERSEY INC., :  
VERIZON SELECT SERVICES INC., VERIZON :  
TELEPRODUCTS CORP., VERIZON CONNECTED :  
SOLUTIONS INC., VERIZON NEW YORK INC., EMPIRE :  
CITY SUBWAY COMPANY (LIMITED), VERIZON :  
MARYLAND INC., VERIZON VIRGINIA INC., :  
VERIZON WEST VIRGINIA INC., VERIZON SERVICES :  
CORP., VERIZON CORPORATE SERVICES CORP., :

Defendants.


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IT IS HEREBY STIPULATED AND AGREED pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, by and between Plaintiffs and Defendants Verizon Communications Inc., Verizon Washington, DC Inc. (improperly named in the Amended Complaint as "Verizon Washington, D.C. Inc."), Verizon South Inc. (improperly named in the Amended Complaint as "Verizon South Inc. (Virginia)"), Verizon Pennsylvania Inc., Verizon Delaware LLC (improperly named in the Amended Complaint as "Verizon Delaware Inc."), Verizon New England Inc., Verizon New Jersey Inc., Verizon Select Services Inc., Verizon Teleproducts Corp., Verizon Connected Solutions Inc., Verizon New York Inc., Empire City Subway Company (Limited), Verizon Maryland Inc., Verizon Virginia Inc., Verizon West Virginia Inc., Verizon Services Corp., Verizon Corporate Services Corp. and Verizon Avenue Corp. (d/b/a Verizon Enhanced Communities), through their respective counsel, subject to the Court's approval, as follows:

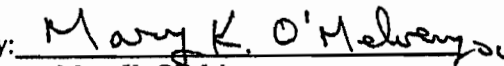
1. The claims of plaintiff James Treadway in the above-captioned action shall be unconditionally dismissed on the merits, with prejudice, and without costs or attorneys' fees to any party.
2. Plaintiffs hereby withdraw the Declaration of James Treadway, dated May 25, 2011, submitted in support of their motion for class certification (ECF No. 58).
3. Plaintiffs will not reference, use or submit as evidence in support of any class certification motion the denial of any FMLA leave requests associated with plaintiff James Treadway
4. Plaintiffs may not rely on the allegations in the Amended Complaint related to plaintiff James Treadway as evidence in support of any motion for class certification, on the merits of the other Plaintiffs' claims or otherwise.

Dated: New York, New York  
June 28, 2011

SEMEL, YOUNG & NORUM

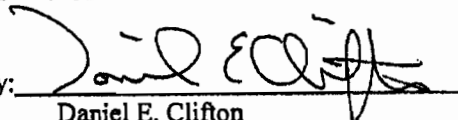
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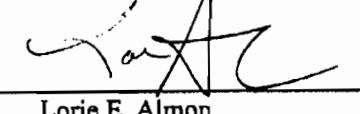
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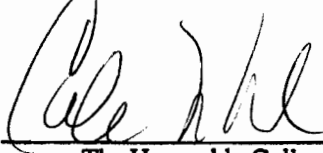
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*Verizon Pennsylvania Inc.*  
*Verizon Delaware LLC*  
*Verizon New England Inc.*  
*Verizon New Jersey Inc.*  
*Verizon Select Services Inc.*  
*Verizon Teleproducts Corp.*  
*Verizon Connected Solutions Inc.*  
*Verizon New York Inc.*  
*Empire City Subway Company*  
*(Limited)*  
*Verizon Maryland Inc.*  
*Verizon Virginia Inc.*  
*Verizon West Virginia Inc.*  
*Verizon Services Corp.*  
*Verizon Corporate Services Corp. and*  
*Verizon Avenue Corp. (d/b/a Verizon*  
*Enhanced Communities)*

SO ORDERED:



The Honorable Colleen McMahon  
United States District Judge

Dated: New York, New York  
July 5, 2011

